

REMARKS

Restriction Requirement

Applicants elect, with traverse, Group II, claims 2 and 7, drawn to polypeptides and fusion proteins, classified in class 530, subclass 350, and the species of SEQ ID NO:586. Applicants note that this species election is made with the approval of the Examiner, which was provided in a telephone conversation conducted on April 4, 2003. Applicants respectfully traverse the Restriction Requirement and submit that SEQ ID NOs:586 and 587 are related in that SEQ ID NO:587 is contained within SEQ ID NO:586, so a search of any one of these sequences would uncover art related to the other sequence. Consequently, Applicants submit that it would not be an undue burden to the Examiner to perform the search and examination of both sequences in one application. Applicants respectfully request that SEQ ID NO:587 be considered together with SEQ ID NO:586 in the instant application.

Preliminary Amendment

Favorable reconsideration of the subject application is respectfully requested in view of the above amendments and the following remarks. Claim 2 has been cancelled and rewritten as newly added claims 18-22 to more specifically describe one aspect of the invention. Claims 18-22 are drawn to polypeptides comprising the L200T antigen (SEQ ID NO:586) and immunogenic fragments and variants thereof. Claim 7 has been amended to accurately reflect dependency in light of the cancellation of claim 2. Applicants submit that support for these amendments may be found throughout the specification as originally filed and that none of the amendments constitute new matter or raise new issues for consideration. Specific support for polypeptides of SEQ ID NOs:586 and 587 is provided, for example, on page 3, lines 11-13, and additional support for immunogenic fragments of L200T (e.g. SEQ ID NO:587) is provided in Example 8, on page 133, lines 5-10. Support for polypeptides having at least 90% identity to SEQ ID NOs:586 or 587 is provided, for example, on page 35, lines 9-13, and support for polypeptides comprising at least 10 amino acid residues of SEQ ID NOs:586 or 587 is provided, for example, on page 35, lines 3-6. This amendment is made without prejudice to prosecution of any subject matter modified by amendment in a related divisional, continuation, or continuation-in-part application.

Application No. 09/854,133

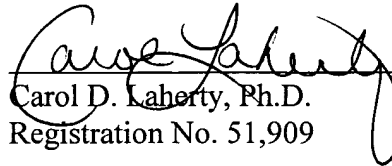
Response to Restriction Requirement dated October 16, 2002

Favorable consideration and allowance of the elected claims is respectfully requested.

Respectfully submitted,

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